

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA : ATTORNEY AFFIRMATION
v. : 07 Cr. 582 (CM)
ESMOND ELCOCK, JR, et al., :
Defendants. :

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I, FIONA DOHERTY, hereby declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that:

1. I am an Assistant Federal Defender with the Federal Defenders of New York. I have been appointed by the Court to represent NADINE WHITTINGHAM in this action. I make this affirmation in support of a motion to dismiss the third count of the indictment for improper venue.

2. On information and belief, based on conversations with Assistant United States Attorney Jenna Dabbs, Esq., the Government does not intend to argue that Ms. Whittingham personally took any actions within the Southern District of New York with respect to the third count of the indictment.

I declare under penalty of perjury that the foregoing is true and accurate.

Dated: New York, New York
December 5, 2007


FIONA DOHERTY, ESQ.